

**TOWN OF ABINGDON  
REGULAR COUNCIL MEETING  
MONDAY, OCTOBER 1, 2012 – 7:30 P.M.  
COUNCIL CHAMBERS - MUNICIPAL BUILDING**

A regular meeting of the Abingdon Town Council was held on October 1, 2012 at 7:30 p.m. in the Council chambers of the Municipal Building.

**A. ROLL CALL**

Members of Council Present:

Edward B. Morgan, Mayor  
Mrs. Cathy Lowe, Vice Mayor  
Mr. Jason N. Berry  
Mr. Richard E. Humphreys  
Mr. Robert M. Howard

Administrative/Town Staff:

Gregory W. Kelly, Town Manager  
Garrett Jackson, Assistant Town Mgr./Dir. Of Planning  
Cecile M. Rosenbaum, Town Clerk  
Deborah Icenhour, Town Attorney  
Jim Smith, Dir. Of Wastewater Operations/Town Eng.  
Jim Cowart, Dir. of Econ. Dev/Grants Writer  
John Dew, Dir. Public Services/Construction  
Tony Sullivan, Chief of Police  
Kevin Costello, Dir. of Tourism  
Kevin Worley, Dir. of Parks & Recreation  
Jon Phelps, Information Technology Dept.

Visitors:

Sherrie Smith, Bobby Moretz, Reba Profitt, Crystal Peak, Stacy Ely, Rich Macbeth, Travis Staten, and others  
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**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Rick Humphreys, Council Member.

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**C. APPROVAL OF MINUTES**

**On motion of Mr. Humphreys the Council approved the minutes of the September 4, 2012 Work Session meeting, the minutes of the September 4, 2012 Regular Meeting and the September 19, 2012 Work Session Meeting as presented by acclamation.**

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At this time, Mr. Kelly, Town Manager commented on the recent award won by the town for its advancements with Wi-Fi technology. The Town received the Virginia Municipal League's President's Award, the highest honor given by the League.

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#### **D. SPECIAL PRESENTATION**

##### **1. Presentation by the 4H Club of Washington County, Virginia relative to their Informational Technology Program.**

Crystal Peak of the local 4H Club of Washington County appeared before the Council to comment on the donation of a tree that the Club was making to the town's downtown tree scape project in honor of their project to recruit more women into the technology field. Judy Compton with the Appalachian Information Technology Extension Services provided a power point presentation on the project of encouraging more women to work in the technology services field through a program called "stoker bike". Debbie Rasnake from Virginia Highlands Community College commented on the College's efforts to provide technology programs for students with a focus on encouraging young women to join the classes.

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#### **E. PETITIONS, PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

##### **1. Public Hearing – First Reading – Proposed Rezoning – Colonial Road Development, CMM Ventures, LLC and United Way of Russell and Washington Counties, Michael C. Neal, Trustee and Representative, P.O. Box 607, Abingdon, VA 24212, application to rezone properties located between Colonial Road and Hagy Street on the north side of such streets and known as Lots No. 23 and 24 consisting of .403 acres (0.16 + 0.243), Lot 25 consisting of 0.225 acres and Lot 26 consisting of 0.25 acres of the Colonial Road Development, from R-3 Residential District to B-3 Central Business District. Tax Map No. 18(1)23, 24, 25, 26.**

Mr. Jackson, Assistant Town Manager reported on the proposed rezoning request before Council for public hearing. Mr. Jackson indicated that the current zoning on the property is split and the United Way organization has a need to increase their current office space and would like to use the properties as professional office buildings. Mr. Jackson noted that the Planning Commission heard the matter at their September meeting and the recommendation was for the property to be rezoned to Office and Institutional (O & I).

Mayor Morgan declared the public hearing open.

- Richard Clayton of 478 Colonial Road, Abingdon commented that he was not opposed to the property being rezoned O & I, but noted he was opposed to a rezoning to B3.
- Michael Neal commented that he supported the rezoning to O & I.
- Eddie Copenhaver spoke on behalf of his mother who lives at 205 Preston Street, Abingdon and expressed his concern for the increased traffic on Hagy Street as well as the narrowness of the road. He asked that Hagy Street be fixed prior to the approval of the rezoning request from the United Way organization. Mrs. Lowe inquired about the runoff issues that Mrs. Copenhaver had with her property several months ago. Mr. Dew, Director of Public Services and Construction, commented that the Public Works Department had made improvements to the entrance to Hagy Street. Mr. Humphreys inquired about making Hagy Street a one way street. Mr. Dew indicated that he was concerned about traffic flow in the area but would review it again.
- Travis Staten, Executive Director of United Way of Virginia Highlands commented that he was in need of additional office space as his organization had just added another county to its group. He indicated that it was his wish to be a good friend and neighbor to the residents in the area where his business office is located. Mr. Berry inquired if Mr. Staten would have adequate office space if the rezoning was approved even with the addition of another county to his organization.

Hearing no further comments, Mayor Morgan declared the public hearing closed.

Mr. Berry commented that he would like for the Public Works Department to take a look at the Hagy Street issues and report back to Council at the November meeting. Mr. Kelly commented on the timing of the second reading and that the rezoning, if approved, would become effective 30 days after the second reading. Mrs. Lowe commented that the rezoning to O & I would be a better designation for the area.

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council approved the Proposed Rezoning request for Colonial Road Development, CMM Ventures, LLC and United Way of Russell and Washington Counties, Michael C. Neal, Trustee and Representative, P.O. Box 607, Abingdon, VA 24212 and application to rezone properties located between Colonial Road and Hagy Street on the north side of such streets and known as Lots No. 23 and 24 consisting of .403 acres (0.16 + 0.243), Lot 25 consisting of 0.225 acres and Lot 26 consisting of 0.25 acres of the Colonial Road Development, from R-3 Residential District to B-3 Central Business District. Tax Map No. 18(1)23, 24, 25, 26 and directed that the Department of Public Works work with Mrs.**

**Copenhaver resident of Preston Street regarding her concerns about Hagy Street.**

**The roll call vote was as follows:**

|                      |            |
|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

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- 2. Public Hearing – First Reading – An Ordinance by the Council of the Town of Abingdon, Virginia to Repeal, Amend and Reenact Part II – Code, Chapter 66 – Taxation, Article II, Real Property Tax, Division 5, Historic District Tax Abatement, Sections 66-71 through 66-78, to Amend Sections 66-71 and 66-75 and add Sections 66-76 through 66-78 to the Code of Ordinances of the Town of Abingdon, Virginia Providing Incentive to Homeowners in the Historic District to Complete Essential Maintenance, Restoration, Preservation and Rehabilitation Projects through Extending a ten (10) Year Comprehensive Tax Credit for Eligible Rehabilitation Projects Completed and an Exemption from Tax Assessment Increases for a period of ten (10) years.**

Mr. Jackson, Assistant Town Manager summarized the proposed Ordinance before Council for public hearing. Mr. Jackson commented that the town's Board of Architectural Review had worked for some time on developing guidelines governing the Historic District and that residents could benefit from the incentives to maintain their historic properties through real property tax credits. Mr. Berry commented that he sits on the town's BAR and they were supportive of the proposed Ordinance.

At this time Mr. Berry made a motion to adopt the Ordinance as presented and Mrs. Lowe seconded the motion. Mayor Morgan noted that the matter was before Council for public hearing and that needed to be concluded before the Council could make a motion for approval.

Mr. Berry rescinded his motion and Mrs. Lowe withdrew her second.

Mayor Morgan declared the public hearing open and hearing no comments, closed the public hearing.

**On motion of Mr. Berry, seconded by Mrs. Lowe, the Council adopted the proposed Ordinance to Repeal, Amend and Reenact Part II – Code, Chapter 66 – Taxation, Article II, Real Property Tax, Division 5, Historic District Tax Abatement, Sections 66-71 through 66-78, to Amend Sections 66-71 and 66-75**

**and add Sections 66-76 through 66-78 to the Code of Ordinances of the Town of Abingdon, Virginia Providing Incentive to Homeowners in the Historic District to Complete Essential Maintenance, Restoration, Preservation and Rehabilitation Projects through Extending a ten (10) Year Comprehensive Tax Credit for Eligible Rehabilitation Projects Completed and an Exemption from Tax Assessment Increases for a period of ten (10) years.**

**The roll call vote was as follows:**

<b>Mr. Howard</b>	<b>Abstain</b> ( <i>Mr. Howard noted that he owned property in the town's Historic District</i> )
<b>Mr. Humphreys</b>	<b>Abstain</b> ( <i>Mr. Humphreys noted that he owned property in the town's Historic District</i> )
<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

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- 3. Public Hearing – First Reading – An Ordinance of the Council of the Town of Abingdon, Virginia to Repeal, Amend and Reenact Part II – Code, Chapter 18 – Businesses, Section 18-131 through 132, Article VI – Exemptions from Permit Requirements to Add Pertinent Definitions to Section 8-131 and Subsections 18-132 (5) through (7) to the Code of Ordinances of the Town of Abingdon, Virginia Providing an Exemption from Restaurant Regulations for Certain Groups and Organizations Selling Concessions.**

Deb Icenhour, Town Attorney summarized the proposed Ordinance before Council for public hearing. Mrs. Icenhour commented that the Ordinance would eliminate the need for organizations at town sponsored events, who planned to vend food, to reapply to the Health Department for each event. This Ordinance would allow them to apply one time and Ms. Icenhour recommended that Council adopt the Ordinance on first reading.

Mayor Morgan declared the public hearing open and hearing no comments, closed the public hearing.

**On motion of Mr. Howard, seconded by Mrs. Lowe, the Council adopted the Ordinance to Repeal, Amend and Reenact Part II – Code, Chapter 18 – Businesses, Section 18-131 through 132, Article VI – Exemptions from Permit Requirements to Add Pertinent Definitions to Section 8-131 and Subsections 18-132 (5) through (7) to the Code of Ordinances of the Town of Abingdon, Virginia Providing an Exemption from Restaurant Regulations for Certain Groups and Organizations Selling Concessions on first reading, thereby dispensing with the second reading.**

**The roll call vote was as follows:**

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|----------------------|------------|
| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

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**F. SECOND READINGS OF ORDINANCES – None**

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**G. CONSIDERATION OF ANY BIDS – None**

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**H. REPORTS FROM THE TOWN MANAGER**

1. **Consideration of formal naming of park located on A Street to *Landon Boyd Park*.**

Garrett Jackson, Assistant Town Manager reported that several residents of the Kings Mountain community had asked the town to consider naming the town park located on A Street the Landon Boyd Park. Mr. Jackson noted that Mr. Boyd was an African-American, early resident of Abingdon, who was honored for his contributions to the area during and after the Civil War period.

**On motion of Mr. Humphreys, seconded by Mrs. Lowe, the Council agreed to name the town's park located on A Street the Landon Boyd Park.**

**The roll call vote was as follows:**

<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

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2. **Authorization of the Town Manager to execute the Quitclaim Deed from the Washington County Board of Supervisors relative to the conveyance of the Breckenridge Cabin structure which is currently placed behind the Washington County Public Library.**

Deb Icenhour, Town Attorney reported that Washington County wished to donate the Breckenridge Cabin structure, which is currently placed behind the Washington County Public Library, to the town. Ms. Icenhour recommended that the Council authorize the Town Manager to execute the Quitclaim Deed for the conveyance.

**On motion of Mr. Humphreys, seconded by Mr. Berry, the Council authorized the Town Manager to execute the Quitclaim Deed from the Washington County Board of Supervisors to convey the Breckenridge Cabin structure which is currently placed behind the Washington County Public Library to the town.**

The roll call vote was as follows:

|               |     |
|---------------|-----|
| Mr. Howard    | Aye |
| Mr. Humphreys | Aye |
| Mr. Berry     | Aye |
| Mrs. Lowe     | Aye |
| Mayor Morgan  | Aye |

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## I. PASSAGE OF RESOLUTIONS

1. A Resolution of the Council of the Town of Abingdon, Virginia Honoring the Achievements by Mountain States Health Alliance in Being Named the 2012 National Quality Healthcare Award Recipient.

Stacy Ely, Community and Government Relations, Director-Virginia for Mountain States Health Alliance addressed the Council members to ask for their support for a Resolution honoring Mountain States for being named the 2012 National Quality Health Award Recipient.

**By vote of acclamation and on motion of Mr. Berry, seconded by Mr. Howard, the Council adopted the Resolution as follows:**

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF ABINGDON, VIRGINIA  
HONORING THE ACHIEVEMENT BY MOUNTAIN STATES HEALTH ALLIANCE  
IN BEING NAMED THE 2012 NATIONAL QUALITY HEALTHCARE AWARD  
RECIPIENT**

**WHEREAS** Mountain States Health Alliance, formed in 1998, is the largest health care system in Northeast Tennessee and Southwest Virginia; and,

**WHEREAS**, its approximately 13,500 team members, associated physicians and volunteers provide caring treatment to their patients; and,

**WHEREAS**, MSHA's Virginia facilities include Dickenson Community Hospital, Johnston Memorial Hospital, Norton Community Hospital, Russell County Medical Center, Smyth County Community Hospital, and its Tennessee facilities include Franklin Woods Community Hospital, Indian Path Medical Center, Johnson County Community Hospital, Niswonger Children's Hospital, James H. and Cecile C. Quillen Rehabilitation Hospital, Sycamore Shoals Hospital, Johnson City Medical Center, and Woodridge Hospital, as well as 21 primary/preventive care centers and numerous outpatient sites in both states; and,

**WHEREAS**, MSHA has long been dedicated to providing quality health care in a loving environment; and,

**WHEREAS**, on August 20, 2012, the National Quality Forum named MSHA the recipient of this year's National Quality Healthcare Award, recognizing its commitment to excellence and quality throughout the system; and,

**WHEREAS**, this marks the second time a Virginia health system has been thus honored, and the first time for a Tennessee health system; and,

**WHEREAS**, the National Quality Forum presents only one national award annually, making this a particularly prestigious distinction; and,

**WHEREAS**, NQF's interim president and CEO, Senior Vice President and COO Laura Miller, said of Mountain States Health Alliance, 'They have created and utilize a set of 10 Patient-centered Care Guiding Principles illustrating the importance of safe, customized care provided in a transparent manner and openly communicated with the patient, family and caregivers throughout the course of treatment;' and,

**WHEREAS**, the National Quality Healthcare Award was created in 1993 and recipients are selected through a blinded review by a panel composed of national health care experts representing purchasers, government, health systems, clinicians and consumers; and,

**WHEREAS**, Mountain States Health Alliance will be presented with this award in special ceremonies to be held in Washington, D.C., in Spring 2013; and,

**WHEREAS**, this award is a reflection on the dedication and professionalism of all the associates at Mountain States Health Alliance and its President and CEO, Dennis Vonderfecht,



**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Town of Abingdon, Virginia applauds this hallmark achievement by the leadership and team members of Mountain States Health Alliance and Johnston Memorial Hospital and expresses our deepest appreciation for the services you provide to the people of Virginia and Tennessee.

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**J. UNFINISHED BUSINESS – None.**

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**K. MATTERS NOT ON THE AGENDA – None.**

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**L. COUNCIL MEMBER REPORTS**

- Mr. Humphreys commented on a trailer that OVTA wishes to donate to the town for use during events at The Muster Grounds. Mr. Humphreys reported that recent visitors to his business had a negative experience with an out of town tour company providing tours in Abingdon. Mr. Humphreys commented the Fields Penn House had been closed the prior weekend.
- Mrs. Lowe commented on a recent event she attended at Emory & Henry College. Mrs. Lowe noted that United Way had cut its annual funding to the Abingdon Senior Center and the impact the loss in funding had on the Meals on Wheels program.
- Mr. Berry inquired if VDOT could be contacted about the conditions of the road under the Exit 14 bridge. Mr. Berry commented on the status of the King School of Medicine.
- Mayor Morgan commented that he had attended excellent sessions at the recent annual VML conference.

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**M. MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

- *Board of Zoning Appeals*

**On motion of Mrs. Lowe, seconded by Mr. Berry, the Council reappointed Paul Quetsch to a second term on the Board of Zoning Appeals.**

**The roll call vote was as follows:**

<b>Mr. Howard</b>	<b>Aye</b>
<b>Mr. Humphreys</b>	<b>Aye</b>
<b>Mr. Berry</b>	<b>Aye</b>
<b>Mrs. Lowe</b>	<b>Aye</b>
<b>Mayor Morgan</b>	<b>Aye</b>

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- ***Tree Commission***

**On motion of Mrs. Lowe, seconded by Mr. Howard, Oliver Craughwell was reappointed to a second term on the Tree Commission.**

**The roll call vote was as follows:**

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| <b>Mr. Howard</b>    | <b>Aye</b> |
| <b>Mr. Humphreys</b> | <b>Aye</b> |
| <b>Mr. Berry</b>     | <b>Aye</b> |
| <b>Mrs. Lowe</b>     | <b>Aye</b> |
| <b>Mayor Morgan</b>  | <b>Aye</b> |

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Mayor Morgan declared the meeting adjourned.

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At this time, Mayor Morgan recognized a citizen who wished to comment on the increase in sewer rate. Cecile Rosenbaum, Town Clerk called the roll, all five (5) Council members were present and Mayor Morgan declared the meeting back in session.

County resident Rita Blyth of 245 Lee Highway, Abingdon addressed the Council regarding her concerns as a single member household about the increase in sewer rates for county residents using the town's system. Mayor Morgan summarized the Council's decision to increase rates for county users and noted that the town provides fire protection, police protection and parks and recreation programs and facilities for county citizens with limited support from the county. Ms. Blyth inquired about the minimum requirement of 2,000 gallons. Mayor Morgan thanked Ms. Blyth for her comments.

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Mayor Morgan declared the meeting adjourned.

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Edward B. Morgan, Mayor

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Cecile M. Rosenbaum, Town Clerk